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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 337  
136<sup>th</sup> General Assembly

## Bill Analysis

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**Version:** As Introduced

**Primary Sponsor:** Sen. Blackshear, Jr.

Rocky Hernandez, Attorney

### SUMMARY

- Requires a supplier to provide prominent, written disclosure at the point of sale of any fees or surcharges for using a credit card in a consumer transaction.
- Provides that a failure to comply with the bill's provisions constitutes an unfair and deceptive practice under the Consumer Sales Practices Act (CSPA).
- Provides that all powers and remedies available to the Attorney General, and all remedies available to consumers, under the CSPA, are available to enforce and remedy a failure to comply with the bill's provisions.

### DETAILED ANALYSIS

#### Disclosure of credit card surcharges

The bill requires a supplier to provide prominent, written disclosure at the point of sale of any fees or surcharges for using a credit card in a consumer transaction.

Under current law, "consumer transaction" means, with some exceptions, a sale, lease, assignment, award by chance, or other transfer of an item of goods, a service, a franchise, or an intangible, to an individual for purposes that are primarily personal, family, or household, or solicitation to supply any of these things.

"Supplier" means, generally, a seller, lessor, assignor, franchisor, or other person engaged in the business of effecting or soliciting consumer transactions, whether or not the person deals directly with the "consumer" (a person engaging in a consumer transaction with a supplier).<sup>1</sup>

<sup>1</sup> R.C. 1345.29(A) and (C); R.C. 1345.01(A), (C), and (D), not in the bill.

## Failure to comply

The bill considers failure to comply with the bill's provisions an unfair and deceptive practice under Ohio's Consumer Sales Practices Act (CSPA) and provides that the Attorney General and consumers have the same powers to enforce the bill's provisions and to remedy any violations as they do under current law to enforce and remedy violations of the CSPA.

For the Attorney General, this includes, for example, an action for declaratory judgement, temporary restraining order, preliminary or permanent injunction, or a motion to impose a civil penalty not exceeding \$5,000 for each day's violation of any such restraining order or injunction.

For consumers, available remedies include, for example, rescission of the transaction, recovery of the consumer's actual economic damages plus up to \$5,000 in noneconomic damages, or a declaratory judgment or an injunction.<sup>2</sup>

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## HISTORY

| Action     | Date       |
|------------|------------|
| Introduced | 12-23-2025 |

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<sup>2</sup> R.C. 1345.29(B); R.C. 1345.06 and 1345.09, not in the bill.